

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT**

Applicants:	<b>Berardi, et al.</b>	Docket No.:	<b>60655.0100</b>
Serial No.:	<b>10/611,563</b>	Group Art Unit:	<b>2876</b>
Filed:	<b>June 30, 2003</b>	Examiner:	<b>Daniel A. Hess</b>
Title:	<b>CLEAR CONTACTLESS CARD</b>	Confirmation No.:	<b>2297</b>

***TERMINAL DISCLAIMER TO OBLVATE  
A DOUBLE PATENTING REJECTIONS OVER A "PRIOR" PATENT***

Mail Stop AMENDMENT  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

The owner, American Express Travel Related Services Company, Inc., of 100% interest in the instant application here by disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent Nos. 7,070,112, 6,749,123, 6,764,014, 6,581,839 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patents are presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making this disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patents, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patents later:

Expires for failure to pay a maintenance fee;

Is held unenforceable;  
Is found invalid by a court of competent jurisdiction;  
Is statutorily disclaimed in the whole or terminally disclaimed under 37 CFR 1.321;  
Is reissued; or  
Is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

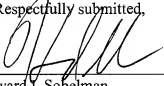
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record, Reg. No. 39,038.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**.

Respectfully submitted,

Dated: June 20, 2007

By:   
Howard I. Sobelman  
Reg. No. 39,038

**SNELL & WILMER L.L.P.**  
400 East Van Buren  
One Arizona Center  
Phoenix, Arizona 85004-2202  
Telephone: (602) 382-6228  
Facsimile: (602) 382-6070  
Email: [hsobelman@swlaw.com](mailto:hsobelman@swlaw.com)